

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:16-cv-00275-MR
CRIMINAL CASE NO. 3:01-cr-00210-MR-1**

| | | |
|----------------------------------|---|---------------------|
| BOBBY LEON JOHNSON, |) | |
| |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

THIS MATTER is before the Court on the motion of the United States requesting that the Court continue holding this action in abeyance, pending a decision by the United States Supreme Court in United States v. Davis, No. 18-431 (cert. granted Jan. 4, 2019). [Doc. 5]. According to the Government's motion, defense counsel does not object to its request. [Id.].

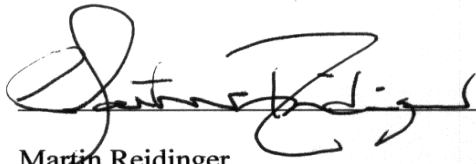
Based upon the reasons given by the Government, and without objection by Petitioner, the Court concludes that the Government's motion should be granted.

IT IS, THEREFORE, ORDERED that the Government's motion to continue holding this case in abeyance [Doc. 5] is hereby **GRANTED** and

this matter is hereby held in abeyance pending the Supreme Court's decision in United States v. Davis, No. 18-431 (cert. granted Jan. 4, 2019). Thereafter, the Government shall have 60 days from the date that the Supreme Court issues its decision in Davis within which to file its response in this matter.

IT IS SO ORDERED.

Signed: February 18, 2019


Martin Reidinger
United States District Judge

